

# EXHIBIT

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LIPSON, NEILSON, COLE

Fax: 248-593-5065

Dec 15 2010 12:32pm P002/005

#14-335 0878

Nationwide

02:17:09 p.m. 12-13-2010

216



Nationwide Life Insurance Company  
 Nationwide Life and Annuity Insurance Company  
 Nationwide Life Insurance Company of America  
 P.O. Box 103800, Columbus, OH 43211-2800  
 Hereafter referred to as the Company  
 www.nationwide.com

**BENEFICIARY CLAIM FORM**

Customer Contact Information  
 Nationwide: 1-800-243-8295  
 TDD: 1-800-236-8035  
 Fax: 1-888-677-7383

**Section 1: General Information - Please print.**

Please accept our deepest sympathies for your loss. This form is designed to collect information needed to complete your claim.

**IMPORTANT:** Sections 1, 2, and 5 must be completed.

A certified Death Certificate bearing the seal of the appropriate local, state or federal agency bearing the certificate must accompany this completed form.

Each beneficiary must complete a separate claim form.

To expedite the processing of this claim, you can fax the completed claim form along with a copy of the certified death certificate to 1-888-677-7383.

**1a. Deceased Information.**

Existing Policy Number(s)  
 (required)

L034804300

Deceased First Name:

GARY

Deceased Last Name:

LUPILOFF

Date of Death:

JULY 13, 2010

**1b. Beneficiary Information. Must be completed.**

Beneficiary Name:

MONICA LYNN LUPILOFF

Residential Address:

c/o Albert Holtz 3910 Telegraph

(PO Box address is not accepted)

City/State/Zip Code:

Bloomfield Hills MI 48302 Ste 200

Mailing Address:

SAME AS ABOVE

(if different than residential)

City/State/Zip Code:

SSN:

Date of Birth:

Daytime Telephone Number:

E-Mail:

The next Section, Settlement Options, provides three distribution options for your death benefit proceeds. For information about what other options are available to you, please call us at 1-800-243-8295 or TDD: 1-800-236-8035.

LAF-0102A0 All Other States Version

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6 12/16/2010 11:30:52 AM [Central Standard Time] OHLEWAP0719 7393 248 693 5065 01:18 NFV184

LIPSON, NEILSON, COLE Fax: 248-593-5065 Dec 15 2010 12:32pm P004/005  
 914-255-0878 Nationwide 02:18:58 pm 12-13-2010 4/5

### Section 3: Taxpayer's Certification

The Internal Revenue Service does not require your consent to any provision of this document other than the certifications required to avoid backup withholding.

**Certification**— Under penalties of perjury, I certify that:

- (1) The number shown on this form is my correct taxpayer identification number, and
- (2) I am not subject to backup withholding because (a) I have not been notified that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (b) the Internal Revenue Service has notified me that I am no longer subject to backup withholding, or that I am exempt from backup withholding, and
- (3) I am a United States citizen (including a U.S. resident alien).

You must cross out item (2) if you have been notified by the IRS that you are currently subject to backup withholding because of failure to report interest or dividends on your tax return.

### Section 4: State Fraud Statutes

**Alabama, Alaska, Arizona, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kentucky, Maryland, Massachusetts, Montana, Nebraska, New Hampshire, Mississippi, Ohio, Oklahoma, Oregon, Puerto Rico, Rhode Island, South Dakota, Texas, Utah, Vermont, West Virginia, Wisconsin and Wyoming** Any person who submits an application or a claim containing a false or deceptive statement, and does so with intent to defraud or knowing that he/she is facilitating a fraud against an insurer, may be guilty of insurance fraud.

**Arkansas** Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or knowingly presents false information in an application for insurance is guilty of a crime and may be subject to fines and confinement in prison.

**Colorado Important Notice:** It is unlawful to knowingly provide false, incomplete or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado Division of Insurance within the department or regulatory agencies.

**District of Columbia Warning:** It is a crime to provide false or misleading information to an insurer for the purpose of defrauding the insurer or any other person. Penalties include imprisonment and/or fines. In addition, an insurer may deny insurance benefits if false information materially related to a claim was provided by the applicant.

**Florida** Any person who knowingly and with intent to injure, defraud or deceive any insurer files a statement of claim or an application containing any false, incomplete, or misleading information is guilty of a felony of the third degree.

**Kansas, Nevada, North Carolina and North Dakota** Any person who submits an application or a claim containing a false or deceptive statement, and does so with intent to defraud or knowing that he/she is facilitating a fraud against an insurer, may be guilty of insurance fraud.

**Louisiana Caution:** If your answers on this application are incorrect or untrue, Nationwide has the right to deny benefits or rescind your policy. Any person who knowingly presents false or fraudulent claim for payment of a loss or benefit or knowingly presents false information in an application for insurance is guilty of a crime and may be subject to fines and confinement in prison.

**Maine, Tennessee** It is a crime to knowingly provide false, incomplete or misleading information to an insurance company for the purpose of defrauding the company. Penalties include imprisonment, fines and denial of insurance benefits.

**Missouri Caution:** If your answers on this application are incorrect or untrue, Nationwide has the right to deny benefits or rescind your policy. **Fraud Statement:** Any person who submits an application or a claim containing a false or deceptive statement, and does so with intent to defraud or knowing that he/she is facilitating a fraud against an insurer, may be guilty of insurance fraud.

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LIPSON, NEILSON, COLE Fax: 248-593-5065

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Nationwide

02:20:26 p.m. 12-13-2010

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**Section 4: State Fraud Penalties**

**New Jersey** Any person who includes any false or misleading information on an application for an insurance policy is subject to criminal and civil penalties.

**New Mexico** Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or knowingly presents false information in an application for insurance is guilty of a crime and may be subject to civil fines and criminal penalties.

**New York** Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime, and shall also be subject to a civil penalty not to exceed five thousand dollars and the stated value of the claim for each such violation.

**Pennsylvania** Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information or conceals for the purpose of misleading, information concerning any fact material thereto commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties.

**Virginia** Any person who, with the intent to defraud or knowing that he/she is facilitating a fraud against an insurer, submits an application or files a claim containing a false or deceptive statement may have violated state law.

**Washington** Any person who knowingly presents a false or fraudulent claim for payment of a loss or knowingly makes a false statement in an application for insurance may be guilty of a criminal offense under state law.

**Section 5: Authorization - Signature Required**

If I selected the Nationwide Bank Secure Money Market Account Option, I understand and agree, by signing this form that Nationwide Bank will access and utilize consumer report information to open my account. I authorize my information to be shared with Nationwide Bank, for purposes of establishing my Secure Money Market Account. To help the government fight the funding of terrorism and money laundering activities, Federal law requires all financial institutions to obtain, verify, and record information that identifies each person who opens an account. What this means for me: When I open an account, Nationwide Bank asks for my name, address, date of birth, and other information that will allow them to identify me. Nationwide Bank may ask to see my driver's license or other identifying documents.

I certify under penalties of perjury that all statements are true, correct and complete to the best of my knowledge and belief. I understand that the furnishing of this form by the Company does not constitute an admission that there is any insurance in force.

M. [Signature] 12/14/10 [Redacted]  
 Signature of Beneficiary Date Social Security Number  
 (Individual Beneficiary)

Signature of Legally Appointed Guardian Date Minor Beneficiary's Social Security Number

(Individual Beneficiary is a minor or mentally incompetent person) A certified copy of guardianship papers must be furnished.

Please contact our Customer Service Center at 1-800-243-6295 if you have any questions. If you have a Telecommunications Device for the Deaf (TDD), you may access our TDD services at 1-800-243-6035. Customer Service Representatives are available to assist you Monday through Friday from 8:00 a.m. to 8:00 p.m. EST.

To expedite the claims process, you may overnight the completed claim form along with any other required form(s) to the following address:

Nationwide Life Operations  
 RRT1 - 04 - 04  
 5100 Rings Rd.  
 Dublin, Ohio 43017

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